THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.19710 OF 2007

DATED: 20-09-2007

BETWEEN

Bandaru Venkatamma,
W/o. Chinna Peddaiah,
Occ: Cultivation,
Ra./o, Darsiguntapeta (V),
C.S. Puram Mandal,
Prakasam District.

...PETITIONER

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary
to Revenue (Land Acquisition)
Department, Secretariat,
Saifabad, Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioner submits that he was assigned an extent of Ac.1.00 cents of land in Sy.No.124/2 and an extent of Ac.1.26 cents of land, in Sy.No.124/3, total extent of Ac.2.26 cents, situated in Darsiguntapeta Village, C.S. Puram Mandal, by way of D-Form patta issued vide F.Dis.No.158/1407 dated 29.04.1998. He further submits neither the said assignment has been cancelled nor he has violated any of the conditions of the assignment and that he has been in continuous possession and enjoyment of the said land.

2. He further submits that, while so, the Mandal Parishad Development Officer passed order dated 10.12.2006 giving administrative sanction of

Rs.1,00,000/- for leveling the land in Sy.No.124/2, which is required for the purpose of Gram Panchayat. The grievance of the petitioner is that he has been given an ultimatum to the effect that he should vacate the land within one week.

3. It is not known as to what is the extent of land available in Sy.No.124/2. Except the said order of the Mandal Parishad Development Officer sanctioning Rs.1,00,000/- for leveling the land in Sy.No.124/2, there is no other document to show that the land in an extent of Ac.1.00 cents belonging to the petitioner in Sy.No.124/2,
is sought to be taken away from his possession; more so, the petitioner has not made any representation before the respondents intimating his grievance. Therefore, I am of the opinion that in the absence of any evidence that the respondents are going to take away the said land, which has been assigned in favour of the petitioner,
no writ of mandamus can be issued.

The writ petition is accordingly dismissed with a liberty to the petitioner to represent his grievance before the concerned authorities. There shall be no order as to costs.

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V. ESWARAIAH, J

September 20, 2007
DSK